

constitutional right.” Id. at (c)(2). This standard is satisfied by a demonstration that “jurists of reason could disagree with the district court’s resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further.” Miller-El v. Cockrell, 537 U.S. 322, 327, 123 S.Ct. 1029 (2003).

The Court has carefully considered Petitioner’s motion. For the reasons stated in the Magistrate Judge’s recommendation and this Court’s order accepting the same, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right so as to warrant the issuance of a Certificate of Appealability. Nothing offered by Petitioner persuades the Court that the issues presented by his case merit further debate. Accordingly, Petitioner’s Request for a Certificate of Appealability (Doc. 92-3) is **DENIED**.

SO ORDERED, this the 2nd day of June, 2009.

s/ **Hugh Lawson**
HUGH LAWSON, SENIOR JUDGE

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